

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 L-03
INR-07 CIAE-00 INRE-00 SSO-00 OMB-01 EURE-00 /050 W
-----121715Z 065528 /50

O P 121626Z MAY 77
FM AMEMBASSY ATHENS
TO SECSTATE WASHDC IMMEDIATE 563
SECDEF WASHDC IMMEDIATE
INFO JCS WASHDC IMMEDIATE
AMEMBASSY ANKARA PRIORITY
USMISSION NATO PRIORITY
USNMR SHAPE PRIORITY
USDELMC PRIORITY
USCINCEUR PRIORITY
CINCUSNAVEUR PRIORITY
CINCUSAFE RAMSTEIN PRIORITY
USDOCOSOUTH NAPLES PRIORITY
DIRNSA

C O N F I D E N T I A L ATHENS 4459

E.O. 11652: GDS
TAGS: MARR, PFOR, GR, US
SUBJECT: U.S.-GREEK DEFENSE COOPERATION DISCUSSIONS: SOFA, VII, 1

REFS: (A) 76 ATHENS 10905 (DTG 090820Z OCT 76)
(B) STATE 77246 (DTG 070039Z APR 77)

1. DURING MAY 11 WORKING GROUP MEETING GREEKS ACCEPTED
OUR REFORMULATION OF SOFA ARTICLE VII, 1 (REF B) EXCEPT FOR THE
ONE WORD, "SPECIFIC", WHICH LIMITS THE TYPE OF SERVICES
FOR WHICH THE U.S. FORCES WILL PAY. GREEKS EXPLAINED
THAT "SPECIFIC" WAS TRANSLATED INTO THE SAME GREEK WORD
(EIDIKOS) AS THE WORD "SPECIAL" TO WHICH THEY HAD
OBJECTED LAST ROUND (REF A).

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2. USING THE RATIONALE CONTAINED IN REF B, WE EXPLAINED
OUR NEED FOR INCLUSION OF SOME LIMITING MODIFIER SO
AS TO AVOID ANY FUTURE CONTROVERSY OVER OUR EXEMPTION
FROM CHARGES FOR GENERAL SERVICES, WHICH WE EQUATE TO
TAXES. PREFACING THEIR REPLY WITH A CLAIM THAT THE
FINANCE MINISTRY WAS STILL DISPLEASED WITH THEIR
AGREEMENT TO ACCEPT "RECEIVED" IN PLACE OF "RENDERED"

IN THE PROVISIO SECTION OF THE PARAGRAPH, THE GREEKS SAID THE U.S. HAD ENOUGH PROTECTION FROM THAT KIND OF LIABILITY WITHOUT ANY MODIFYING ADJECTIVE. BECAUSE THE WORD "RECEIVED" IS GOVERNING, THE U.S. FORCES, THEY EXPLAINED, WERE NOT PROHIBITED FROM DISPUTING ANY BILL ON THE BASIS THAT SPECIFIC SERVICES HAD NOT BEEN RECEIVED. WE ADMITTED THAT "RECEIVED" WAS MORE BENEFICIAL TO US, BUT THAT IT DID NOT COMPLETELY RESOLVE OUR PROBLEM: IT MERELY POSTPONES ANY CONTROVERSY. THE GREEKS COUNTERED, SAYING THAT OUR CONCERNS WERE REALLY UNFOUNDED SINCE "VESSELS AND AIRCRAFT OPERATED BY OR EXCLUSIVELY FOR THE U.S. FORCES" ENJOY THE IMMUNITY OF STATE VESSELS AND AIRCRAFT AND WOULD NOT, IN ANY EVENT, BE SUBJECT TO SUCH CHARGES. THEY MENTIONED THAT ANY FURTHER MODIFICATIONS IN THE PROVISION WOULD REQUIRE FINANCE MINISTRY APPROVAL, AND IMPLIED THAT SUCH AN INVOLVEMENT MIGHT FURTHER UNRAVEL THE SOFA.

3. THE FORMULATION THE GREEKS COULD NOW ACCEPT IS:

"1. VESSELS AND AIRCRAFT OPERATED BY OR EXCLUSIVELY FOR THE UNITED STATES FORCES AND SERVICE VEHICLES OF SUCH FORCES SHALL BE FREE FROM TAXES, DUES, DUTIES, AND OTHER CHARGES, PROVIDED THAT SUCH EXEMPTION SHALL NOT EXTEND TO CHARGES FOR MATERIALS AND SERVICES RECEIVED."

4. COMMENT: WE INTEND TO TRY AT LEAST ONE MORE TIME TO GET GREEK ACCEPTANCE OF A MEANINGFUL MODIFIER FOR CONFIDENTIAL

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"SERVICES". HOWEVER, IF WE ARE UNSUCCESSFUL, WE WOULD LIKE BY OOB, MAY 14, WASHINGTON APPROVAL TO ACCEPT TEXT IN PARA 3 ABOVE SINCE, AS THE GREEKS POINTED OUT, IT DOES NOT PRECLUDE CONTESTING INDIVIDUAL BILLS WHEN TENDERED.
KUBISCH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NEGOTIATIONS, MILITARY BASE AGREEMENTS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977ATHENS04459
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770167-1027
Format: TEL
From: ATHENS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770567/aaaacfqd.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8feab695-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 ATHENS 10905, 77 STATE 77246
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06-Apr-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2555025
Secure: OPEN
Status: NATIVE
Subject: U.S.-GREEK DEFENSE COOPERATION DISCUSSIONS: SOFA, VII, 1
TAGS: MARR, PFOR, GR, US
To: STATE DOD
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8feab695-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009